

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John A. Russo
Mary L. Russo
Debtor(s)

Bankruptcy Case No.: 15-22886-CMB

Chapter: 13
Docket No.: 48 - 47
Concil. Conf.: January 26, 2017 at 10:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **December 12, 2016**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **December 27, 2016**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 26, 2017 at 10:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: October 28, 2016

cm: All Creditors and Parties In Interest

Carlota M. Bohm
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John A. Russo
 Mary L. Russo
 Debtors

Case No. 15-22886-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: kthe
 Form ID: 410

Page 1 of 2
 Total Noticed: 23

Date Rcvd: Oct 28, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 30, 2016.

db/jdb
 cr +John A. Russo, Mary L. Russo, 216 Euclid Avenue, Glassport, PA 15045-1331
 +Peoples Natural Gas Company, LLC, 375 North Shore Drive, Suite 600,
 Pittsburgh, PA 15212-5866
 14090342 +Ar Resources Inc, 1777 Sentry Pkwy W, Blue Bell, PA 19422-2206
 14090343 +Capital One, Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
 14090344 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
 14090345 +Credit Protection Associates, Attn: Bankruptcy, P.O. Box 802068, Dallas, TX 75380-2068
 14090348 +NovaCare Rehabilitation, 2550 Mossie Boulevard, Monroeville, PA 15146-3540
 14222042 +PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982
 14090350 +PNC Bank, Attn: Bankruptcy, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
 14090351 +PNC Bank NA, P.O. Box 3180, Pittsburgh, PA 15230-3180
 14090349 Peoples Gas, P.O. Box 6766, Pittsburgh, PA 15212-0766
 14090353 +Sears/CBNA, P.O. Box 6282, Sioux Falls, SD 57117-6282

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14175766 E-mail/Text: ally@ebn.phinsolutions.com Oct 29 2016 04:21:15 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14090341 +E-mail/Text: ally@ebn.phinsolutions.com Oct 29 2016 04:21:15 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 14227343 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Oct 29 2016 04:22:43 Duquesne Light Company,
 c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,
 Pittsburgh, PA 15219-1945
 14090346 E-mail/Text: fnb.bk@fnfg.com Oct 29 2016 04:22:26 First Niagara Bank, P.O. Box 514,
 Lockport, NY 14094
 14205815 E-mail/Text: fnb.bk@fnfg.com Oct 29 2016 04:22:26 First Niagara Bank, N.A.,
 6950 South Transit Road, PO Box 514, Lockport NY 14095-0514
 14166070 +E-mail/Text: camanagement@mtb.com Oct 29 2016 04:21:31 Lakeview Loan Servicing, LLC,
 C/O M&T BANK, PO BOX 1288, Buffalo, NY 14240-1288
 14166069 E-mail/Text: camanagement@mtb.com Oct 29 2016 04:21:31 M&T BANK, PO BOX 1288,
 Buffalo, NY 14240
 14090347 E-mail/Text: camanagement@mtb.com Oct 29 2016 04:21:31 M&T Bank, Attn: Bankruptcy,
 1100 Wehrle Drive, 2nd Floor, Williamsville, NY 14221
 14162310 +E-mail/PDF: resurgentbknofications@resurgent.com Oct 29 2016 03:26:45
 PYOD, LLC its successors and assigns as assignee, of Citibank, N.A.,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
 14090352 +E-mail/PDF: gecsed@recoverycorp.com Oct 29 2016 03:29:13 Sams Club/GEMB,
 Attn: Bankruptcy Dept., P.O. Box 103104, Roswell, GA 30076-9104
 14223522 E-mail/PDF: gecsed@recoverycorp.com Oct 29 2016 03:29:13 Synchrony Bank,
 c/o Recovery Management Systems Corp, 25 SE 2nd Ave Suite 1120, Miami FL 33131-1605
 TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
 cr Lakeview Loan Servicing, LLC

TOTALS: 2, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 30, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

District/off: 0315-2

User: kthe
Form ID: 410

Page 2 of 2
Total Noticed: 23

Date Rcvd: Oct 28, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 28, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Lakeview Loan Servicing, LLC agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
Brian J. Bleasdale on behalf of Debtor John A. Russo bleasdb@yahoo.com
Brian J. Bleasdale on behalf of Joint Debtor Mary L. Russo bleasdb@yahoo.com
Office of the United States Trustee ustpre03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;cabbott@ecf.courtdrive.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7